

BRYAN SCHRODER
Acting United States Attorney

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Attorney for the Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JULIE CARTER and SHARON)
CARTER, as Co-Guardians for) Case No. 3:17-cv-
TIMOTHY CARTER,)
Plaintiff,)
vs.) **CERTIFICATION BY**
PATRICK MARTINEZ, M.D.;) **ACTING UNITED**
CAROL HUMPHREY, M.D.;) **STATES ATTORNEY**
ESTHER LEE, M.D.; and BRIAN)
TRIMBLE, M.D.,)
Defendants.)

)

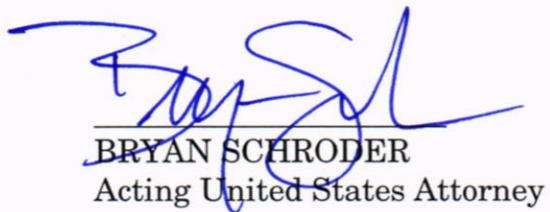
I, BRYAN SCHRODER, Acting United States Attorney for the District of Alaska, acting pursuant to the provisions of 42 U.S.C. § 233 and 28 U.S.C. § 2679(d), certify that I have read the Complaint and other documents related to the case: *Carter v. Martinez, et. al.*, Case No. 3AN-17-9282CI, filed in the Superior Court for the State of Alaska, Third Judicial District at Anchorage.

Based on the information available to me with respect to the allegations in the Plaintiff's Complaint, I find and certify that at the time of the allegations in Plaintiffs' Complaint, Patrick Martinez, M.D., Carol Humphry, M.D., Esther Lee, M.D., and Brian Trimble, M.D., were acting within the scope of their employment with the Alaska Native Tribal Health Consortium (ANTHC) or the Yukon-Kuskokwim Health Corporation (YKHC), Alaska Native tribal organizations that operate under a compact and agreement with the federal Department of Health and Human Services (DHHS), pursuant to Pub.L. 93-638; 42 U.S.C. § 5363.

Further, I find and certify that, with respect to the allegations in Plaintiff's Complaint, Patrick Martinez, M.D., Carol Humphry, M.D., Esther Lee, M.D., and Brian Trimble, M.D., are deemed to be employees of the federal government entitled to coverage and protection within the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b), 2401(b), 2671-80, pursuant to YKHC and ANTHC's compact and agreement with the DHHS under the Indian Self-Determination and Education Assistance Act (ISDEAA). 25 U.S.C. 5321; 42 U.S.C. § 233; and Pub. L. 101-512, Title III, § 314.

Carter v. Martinez et al. (United States)
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DATED this 13th day of October, 2017, at Anchorage, Alaska.



BRYAN SCHRODER
Acting United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2017,
a copy of the foregoing **CERTIFICATION BY**
ACTING UNITED STATES ATTORNEY
was served via U.S. mail on

Meg Simonian
Law Offices of Dillon & Findley
1049 W. 5th Ave., Suite 200
Anchorage, AK 99501

s/ Sara Gray

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